IN THE HIGH COURT OF JUDICATURE AT BOMBAY

CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.3053 OF 2001

Krupalu Co-operative Housing Society Ltd. ...Petitioner

vs.

Joint Registrar Co-op.Societies(Appeals) ...Respondent.

Dr.V.K.Choudhary, for Petitioner.

Mr.V.K.Chincholikar, AGP for Respondent 1 and 2.

CORAM: D.K.DESHMUKH,J.

DATED: 6th April, 2005.

P.C.:-

1. By this petition, the orders of two authorities under the Maharashtra Co-operative Societies Act, admitting the Respondent no.3 to the membership of the petitioner Society, is challenged. There is no dispute that there is a building of the Society. In that building, the respondent no.3 is holding a flat. But the submission is that because the construction of that building is the subject matter of the Civil suit

which is pending, the membership should not have been granted. However, even assuming that the Civil Suit is pending, till that Civil Suit is decided, as the building is in the name of the Society and the respondent no.3 is holding a flat in that building, membership cannot be denied to the respondent no.3. I do not see any patent illegality in the orders passed by the authorities. Petition disposed of.